

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	CIVIL 4:05CV3009
)	
Plaintiff,)	
)	
v.)	ORDER
)	
ALBERT L. ZOOK, COLLECTION)	
ASSOCIATES, a registered Nebraska)	
Trade name of The Collection Agency, LLC)	
)	
Defendants.)	

Upon consideration of the Motion for Distribution of Sale Proceeds filed by Plaintiff (Filing No. 20), and for good cause shown, I find that the Clerk shall distribute partial proceeds of the sale to the Plaintiff, and that the remainder shall be held by the Clerk pending an evidentiary hearing to be conducted on or about November 16, 2005. Accordingly,

IT IS ORDERED;

1. The Motion for Distribution of Sale Proceeds (Filing No. 20) is granted;
2. The Clerk is directed to distribute the remaining sale balance of \$24,300.72, as follows:
 - a. First: \$17,363.28 in payment of the total sum found due the United States as set out in the Judgment and Decree of Foreclosure and Order of Sale. Interest will accrue at the rate of \$1.56 per day from September 20, 2005, through the date of distribution. The check should be made payable to the Treasurer of the United States and delivered, together with a paper copy of this Order, to the Office of the U. S. Attorney;

- b. Second: \$637.40 to the Plaintiff for additional total agency fees not included in the Judgment and Decree of Foreclosure, which are recoverable from Defendant under the terms of Plaintiff's Note and Mortgage. That separate check should be made payable to the Treasurer of the United States and delivered, with a copy of this Order, to the Office of the U. S. Attorney.
- c. Third: The remainder shall be paid to either Albert Zook, who may have an interest in the property that was sold, or to Collection Associates, who may claim an interest in the proceeds of the sale pursuant to a December 4, 2003, Judgment entered in case no. CI03-184 in the County Court of Nemaha County, Nebraska (see Filing No. 1 at ¶ 12); and

3. Defendants Albert Zook and Collection Associates are ordered to appear before the undersigned on Friday, December 2, 2005, at 1:00 p.m., and be prepared to offer evidence concerning their right, if any, to the remaining proceeds of the sale.

Dated this 3rd day of November, 2005.

BY THE COURT:

s/Laurie Smith Camp
United States District Court